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The Legitimacy of Cambyses and Darius as Kings of Egypt

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The concurrence of Jewish textual activity with the work of the Alexandrian grammarians is suggestive. That the *sōfrim* utilized critical marks strikingly similar to those of the Greeks lends plausibility to the assumption of a connection between the two. To be sure, the methods of the

tion by the *sōfrim*. That this has not stood in the way of scholarly conjecture can be seen from, e.g. Pfeiffer, *Introduction to the OT* 86 ff. Ancient cacophemisms (the substitution of *bōšet* for *ba'al* in proper names, already attested to in the Greek), ancient euphemisms (substituting 'less' for 'curse God,' already in the Greek), and changes to be made in recitation—not in the body of the text—are here combined and ascribed to the history of the text during the period 135-500 A. D.

Greeks and their attitude toward their classics differed fundamentally from the methods and attitudes of the Jews.<sup>61</sup> Nonetheless it would appear likely that some of the techniques of criticism, if not the very stimulus to undertake it, came to Judea from abroad. The editing and standardization of the biblical text thus has a claim to be regarded among the several phenomena which, while thoroughly Judaized, had their roots at least in part in the Hellenistic world.<sup>62</sup>

<sup>61</sup> See Lieberman, *op. cit.* 27, especially n. 34.

<sup>62</sup> On the Hellenistic infiltration of Judaism during the Hasmonean period see the suggestive remarks of Bickerman in *The Maccabees* (New York, 1947), 83 ff., 113 ff., and *The Jews*, ed. L. Finkelstein, 109 f.

## THE LEGITIMACY OF CAMBYSES AND DARIUS AS KINGS OF EGYPT<sup>1</sup>

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IN THE STUDY which follows it is my purpose to consider this question from the angle of Persian policy. How did these two kings seek to establish their legitimacy as kings of Egypt? This could not be effected merely by right of conquest, above all for the reason that the Pharaohs were divine rulers; hence in the eyes of their subjects, and especially in the eyes of the dangerously powerful priests, they could not be supplanted by mere human agency. Moreover it was impossible for Cambyses or Darius to use in Egypt the argument 'the great god chose me,' so familiar to us from the Behistun inscription, and applied earlier with

success by Cyrus in Babylon in the name of Marduk.<sup>2</sup> These preliminary considerations serve to explain at once why Cambyses and later Persian monarchs following him called themselves in Egypt 'King of Egypt, King of Lands.'<sup>3</sup> There were even stronger reasons for this in Egypt than for the corresponding usage in Babylon,<sup>4</sup> reasons which were eventually to influence Augustus and his successors to adopt the same policy of separating their rule in Egypt from rule over the rest of the empire.

It seems certain that Cambyses was the first Persian king to enter Egypt as a conqueror, and according to the general consensus of opinion in the ancient world, and especially in the ancient Near Eastern world, this would itself be enough

<sup>1</sup> The following abbreviations are used for works frequently cited:

ANET *Ancient Near Eastern Texts Relating to the Old Testament*, ed. J. B. Pritchard (1950),

ASAE *Annales du Service des Antiquités de l'Égypte du Musée du Caire*.

CAH *Cambridge Ancient History*, vols. III and IV (1925-6).

FHG *Fragmenta Historicorum Graecorum*, ed. C. Müller.

Meyer, GA E. Meyer, *Gesch. des Altertums*, ed. 2, vol. III, 1937.

Brugsch, TIA *Thesaurus Inscriptionum Aegyptiacarum*, I-IV.

Posener G. Posener, *La première domination Perse en Égypte* (*Bibliothèque d'Étude*, ed. P. Jouguet, Inst. Franç. d'Archéol. Orient., T. XI, 1936).

<sup>2</sup> ANET, p. 315.

<sup>3</sup> Cf. (e.g.) the inscription of Uzahor-resenet (Brugsch, TIA, IV, p. 691 f., Posener, p. 1 f. 12.) Posener notes (*ibid.* p. 11, n. 6,0) that the title assumed in Egypt (translated 'grand souverain de l'Égypte' as distinct from 'grand roi de tous les pays étrangers'), also employed by Darius, is also frequently employed by Rameses III and his successors. The second half of the title is a translation of the OP *xšāyabiya dahyūnām*, used in the Behistun inscription.

<sup>4</sup> For this under Cyrus and Cambyses cf. Dougherty *Archives from Erech* (Goucher College Cuneiform Inscriptions, Vol. II, 1933) Nos. 98-101, 111, 115, 123, 408.

to establish his authority there as ruler.<sup>5</sup> But there are clear indications that Cambyses did not himself think this to be enough. He was anxious to vindicate his claim in the eyes of native Egyptians also, as the only hope of gaining willing acceptance in place of resentful acquiescence. So far as we know, the Assyrian kings had made no such efforts in Egypt.<sup>6</sup> Cambyses seems to have taken to heart the lesson of their failure. From the record of a contemporary Egyptian official inscribed in the next reign we have evidence that he formally adopted the title 'Descendant of Rē' (Masuθ-rā), and conformed to the practice of all pious earlier kings in the offering of libations and performing of sacrifices in person in the temple of Neit at Sais.<sup>7</sup> The prostration of Cambyses before the goddess in her temple on this occasion has been interpreted as part of a formal ceremony of coronation according to Egyptian tradition.<sup>8</sup> All this evidence and more of the same kind<sup>9</sup> obviously weighs heavily against the widespread later tradition of Cambyses' utter disregard of Egyptian law and custom which we find for example in Herodotus and in Diodorus,<sup>10</sup> but whether it is to be accepted at its face value or not, it forms only a part of the evidence for Cambyses' policy of making himself legitimate in Egypt, and that not the most important part, since this observance of forms is rather evidence that a claim to legitimacy was made than evidence for the grounds on which the claim was based.

In the present study two lines of inquiry will be followed which appear to reveal the actual grounds on which Cambyses in particular based his claim to legitimacy in Egypt; first, the system of dating which he employed as king of Egypt; secondly (§ ii, pp. 171 ff.), the purely legal aspects contained in the 'claim by dowry.' The evidence for the cor-

responding policy of Darius in Egypt will emerge in the course of the same inquiry.

### § i. *Cambyses' system of dating in Egypt*

The most significant point here, in its bearing on the nature of Cambyses' claim to the Egyptian throne, is that he antedated his rule in Egypt to the very beginning of his reign in Persia. If this were merely a matter of the system of dating employed in Egypt for marking events which took place after the conquest, perhaps no particular significance would attach to it.<sup>11</sup> But this is not the case; it can be shown that events in Egypt which took place before Cambyses entered the country at all were later deemed to have occurred during his reign as king of Egypt, and moreover, that the system of dating itself was not Persian, but Egyptian. This would imply that Cambyses claimed to have acceded to the throne of Egypt as legitimate ruler in or about the time when he succeeded to the throne of Persia, and the system of dating in question must therefore be considered in connection with the story of the Persian marriage-alliance with the daughter of Hophra (Apries), which will presently be examined in detail (below, pp. 172 f.).

The general chronological framework is as follows. Historians agree that Cambyses invaded Egypt in spring or summer, 525 B. C.,<sup>12</sup> which was early in his fifth year as king of Persia.<sup>13</sup> Less than three years later he was recalled to Persia

<sup>11</sup> The dating-system in Cambyses' reign in Egypt seems hitherto to have been considered only in this sense. Cf. Posener, p. 33, note a.

<sup>12</sup> CAH IV, 16 (May); Meyer, GA, III, 190 (Summer).

<sup>13</sup> The indications are (1) a document written in the following reign, the Apis-epitaph (Posener, No. 5, p. 36 f., 173 n. 1) which assigns the births of an Apis to the fifth year of Cambyses, on the 29th day of the first month of Peret (calculated as 29th May, but see below, n. 30a); (2) dated documents of Psammetichus, who according to Herodotus reigned six months, and is known from demotic papyri to have been still recognised in the month Tybi (fifth calendar month, at this period corresponding with May) of his Year 2. Cf. Posener, p. 173, n. 2, referring to *ibid.*, p. 41, n. 1, and Spiegelberg, *Dem. Pap. Strassburg* 15, *Dem. Pap. Loeb* 71. For evidence of the Persian system of dating in other parts of the empire at this period, see Dubberstein, "The Chronology of Cyrus and Cambyses," *AJSL*, LV (1938), 417 f. and Parker and Dubberstein, *Babylonian Chronology 625 B. C. to A. D. 45*, p. 12; the 'accession' year of Cambyses runs from sometime between early July and August 31st, 530 B. C., to 1st Nisan (March 27) 529 B. C., which is the beginning of his 'Year 1.'

<sup>5</sup> This is true even of Greek opinion on the question. Cf. for example the arbitration between two Cretan towns in the second century B. C., Dittenberger, *Syll.*<sup>3</sup>, 685, l. 134 f.

<sup>6</sup> Cf. Hall, CAH III, 311 'they (the Assyrian kings) had never legitimized themselves in the eyes of their new 'subjects' by taking the Egyptian royal name and titular, wearing in Egypt the Egyptian royal costume, and mounting the Egyptian throne.'

<sup>7</sup> Cf. Brugsch, TIA, 691 f., § 18-20, Posener, p. 7 f.

<sup>8</sup> CAH III, 311.

<sup>9</sup> Cf. below, note 34. The relief attached to the text shows Cambyses kneeling, in Egyptian costume; he also takes the usual Horus-name.

<sup>10</sup> Cf. Diod. I. 95.

by the news of the revolt of Gaumata, and died some time in the summer of 522 B. C.,<sup>14</sup> having thus reigned in all for approximately eight years, as Herodotus says,<sup>15</sup> but being still only in the first half of his eighth year according to Persian reckoning.<sup>16</sup> The Egyptian demotic legal contracts give dates of all years of his reign from the fifth to the eighth;<sup>17</sup> they are dated by the old Egyptian calendar, according to the three four-month seasons, 'inundation,' 'winter,' 'summer,' (in this order) in which New Year falls on the first day of the first month of 'inundation,' at this period coinciding with the first days of January according to the Julian calendar,<sup>18</sup> so that the 'winter' season in fact fell in summer. In the demotic contracts the earliest date for Cambyses is Year 5, the 16th day of the second month of 'winter' (mid-June, ?525 B. C.); the latest is Year 8, in the fourth month of 'inundation' (April, ?522 B. C.).<sup>20</sup> The reason for the uncertainty about the year in each case is the different system which obtained in Egypt (at least in the Saite period and earlier) from that in Persia, the 'first' year in Egypt corresponding to the Persian 'accession' year, and the 'second' to the Persian 'Year 1,' both peoples starting a new regnal year on their first New Year's Day after the actual

accession.<sup>21</sup> It seems unlikely that in Egypt immediately after the Persian conquest the old calendar would be retained in combination with the Persian manner of computing the regnal years from 1st Nisan (March 27), since this would inevitably lead to complete confusion. If, as seems evident, the dates of the demotic documents, going down as they do to the eighth year, were calculated back to the accession of Cambyses in Persia, the 'second' year in Egypt would actually begin about January 1st, 529 B. C., three months earlier than the 'first' year in Persia. On the Egyptian system of counting the regnal years, documents could therefore continue so to be dated down to Cambyses' 'Year 9' in Egypt, and what appears to be his fifth Persian year<sup>22</sup> may in fact be only the fourth. References to the fourth and also to the third year of Cambyses in the 'Petition of Peteësi' <sup>23</sup> illustrate the possibility of this anticipation of the conquest in retrospective dating in Egyptian documents.<sup>24</sup>

Independent confirmation of these conclusions, supporting the view that Cambyses reckoned the years of his reign in Egypt by the Egyptian method, and that he maintained that he was actually king before he entered the country at all, may be deduced from the detailed evidence relating to the Apis-bulls. Here there is a widely-recognized and still quite unsolved problem which admits of a simple and satisfactory solution on the assumption that Cambyses reckoned his regnal years wholly by the Egyptian method, while Darius adopted the Persian method *in toto*, making the beginning of the Egyptian 'first month of inundation' coincide with the Persian New Year, on 1st Nisan. This last assumption is made the more likely, in that evidence from the Aramaic papyri proves that the Persian system of regnal years, allowing for an 'accession' year and beginning

<sup>14</sup> Parker and Dubberstein, loc. cit., 'Cambyses was still recognized in April 522. The Behistun inscription seems to imply that he did not die until after July 1, 522 (IV/9/8). However, his successor Bardiya was certainly recognized in Babylonia already in months I and II.'

<sup>15</sup> Herod., III, 67: the Magian reigned *μῆνας ἑπτὰ τοὺς ἐπιλοίπους Καμβύση ἐς τὰ ὀκτῶ ἔτεα τῆς πληρώσιος*.

<sup>16</sup> Cf. above, note 13.

<sup>17</sup> Cf. Spiegelberg, *Demot. Denkmäler III (Demot. Inschr. u. Papyri)*, 1932, (= ASAE, vol. 92), nos. 50060, col. 2, l. 1 (fifth year, with the name of Cambyses indistinct, but regarded by Spiegelberg as probable, second month of 'winter,' sixteenth day); 50062a (sixth year of Cambyses, third month of 'winter'); 50062b (frag. of same papyrus, seventh year, second month of 'winter'); 50059 (eighth year of Cambyses, fourth month of 'inundation').

<sup>18</sup> Mathematical data in Gardiner, *Egyptian Grammar*<sup>2</sup> p. 203 f. and (in more detail) Winlock, *Proc. Amer. Philos. Soc.*, XXXIII, p. 447. The date for the beginning of the Egyptian civil year in 525 B. C. given in the present study is also assumed in the equation of Cambyses' Year 5, first month of 'winter,' day 29 (cf. above, n. 13) with 29th May, 525 B. C. by historians who accept this as the *terminus ante quem* for the recognition of Cambyses' conquest of Egypt.

<sup>19</sup> Spiegelberg, *op. cit.* no. 50060.

<sup>20</sup> *Ibid.* no. 50059.

<sup>21</sup> For the Persian system cf. above, n. 13 *ad fin.* For the Egyptian system, cf. Gardiner, *JEA*, XXI (1945) 16 f., who notes that the Saite kings had re-introduced the method in question as an archaistic revival. Cf. also Posener, 40 f. for evidence that Psammetichus III, who reigned six months, has left documents dated to his second year.

<sup>22</sup> Cf. above, n. 17.

<sup>23</sup> P. Rylands Dem. IX, 21, § 749 (*Cat.*, vol. III, p. 106). Griffith suggests unconvincingly that this indicates a 'partial settlement' of Egypt by Cambyses in his third year.

<sup>24</sup> In view of this, the Apis-epitaph referred to above, n. 13, cannot with certainty be regarded as a *terminus ante quem* for the conquest of Egypt.

the year with 1st Nisan, had already been adopted in the province of Egypt before the end of Xerxes' reign.<sup>24a</sup>

With regard to the chronology of Cambyses, it appears from comparison of three Apis-epitaphs<sup>25</sup> that an Apis recorded as having lived eight years,<sup>26</sup> three months, five days, which died in the fourth year of Darius, was born in the 'fifth year (*sc.* of Cambyses), first month of 'winter,' day 29'; and another, born in the reign of Amasis,<sup>27</sup> was buried in the 'sixth year of Cambyses, third month of 'summer,' day 10 (?).' Subtracting the usual seventy days of mourning for the bull,<sup>28</sup> and so taking back the date last mentioned to the end of the fourth month of 'winter' (the eighth month of the Egyptian civil year), we are still left with an apparent overlap of precisely one year and three months between the birth of one Apis and the death of its predecessor. But it is unthinkable that two Apises actually existed at the same time; this would be contrary to all Egyptian religious ideas in general, as well as to the practice known to us concerning the Apis-bulls in particular.<sup>29</sup> Two Apis-stelae illustrate the appearance of a new Apis the day after its predecessor's decease, but in view of the very unusual markings required in Apis-bulls, it goes without saying that the actual date of birth did not coincide with the date officially attributed to it. But the Apis-epitaphs certainly give the official record. How then is the apparent overlap in this case to be explained?

The burial-date in the epitaph (Posener's no. 3) on the bull buried in the reign of Cambyses (in his sixth year) is naturally given according to

Cambyses' system. If, as we suppose, this is the purely Egyptian one, it corresponds to 525 B. C., eleventh month (November), day 10(?), with a corresponding date of death (seventy days earlier) at the end of August in that year. Comparing the date of birth of an Apis in the epitaph of Darius' reign (Year 4), *reckoned on the Persian system*, we find it so close that it may be regarded as identical, namely 525 B. C. (fifth Persian year of Cambyses), month of July-August (fifth calendar month starting with Nisan, Babylonian Abu), day 29 (August 25). Since it is known that Psammetichus III was still recognized as king only three months before this,<sup>30</sup> the death of the bull would thus coincide with the first few weeks of acknowledged Persian control.<sup>30a</sup>

It has been observed by scholars that the eight and a quarter years attributed to the bull in this inscription of Darius gives one year too many.<sup>31</sup> The present hypothesis provides a plausible explanation of this, namely that it was the result of confusion between the old and the new system of dating. The composers of the bull's epitaph knew that until a year or so previously (the exact interval being unknown) 'the fifth year of Cambyses' would mean, in Egypt, Year 4 of Cambyses in Persia (526/5), which would give eight years reckoning down to Darius' fourth year (518/7). It needs also to be pointed out, in considering this question, that Polyaeus' story of the death of an Apis at the time of Darius' first arrival in Egypt, and the king's offer of a reward for the finding of a new one,<sup>32</sup> fits the circumstances of Cambyses' arrival in Egypt so much better than it fits the arrival of Darius,<sup>33</sup> and also accords so well with the evidence of the granite sarcophagus of an Apis

<sup>24a</sup> Cf. Cowley, *Aram. Pap. of Fifth Century B. C.*, no. 6, l. 1, with comments in Parker and Dubberstein, *op. cit.*, p. 15. Equation of Egyptian month-names with Babylonian in Egypt begins already in Cowley, *op. cit.* no. 5 (Year 15 of Artaxerxes I).

<sup>25</sup> Posener, nos. 3, 4, 5; (p. 30, 35, 36).

<sup>26</sup> Posener, no. 5, p. 39. The age here attributed to the bull raises a difficulty on which see further below. Cf. also Gauthier, *Livre des Rois*, IV, 138, n. 1, and Borchartdt, *Die Mittel z. zeitlichen Festlegung v. Punkten d. Aegypt. Geschichte*, p. 64, who maintains the reading 'seven years.'

<sup>27</sup> Cf. Posener, p. 34, n. i. The arguments by which Posener, p. 172 f., refutes the testimony of Herodotus and other classical authors who allege that Cambyses murdered an Apis-bull appear to be incontrovertible. It is impossible to fit a short-lived murdered bull into the series.

<sup>28</sup> Cf. Posener *ibid.* and E. Kiessling, *Arch. f. Papyrusf.*, XV, 1953, 26 f.

<sup>29</sup> Cf. Posener, p. 172.

<sup>30</sup> Cf. above, n. 13.

<sup>30a</sup> It should be noted that according to the interpretation here being maintained the earliest evidence of Cambyses' presence in Egypt refers, not to 525 B. C., 29th May (cf. above, n. 13), but to the end of August in that year.

<sup>31</sup> Cf. above, n. 26.

<sup>32</sup> Polyaeus VII, xi, 7.

<sup>33</sup> Wiedemann (*Gesch. Aegypt.*, 1880, p. 236) connected this story with the death of an Apis in the fourth year of Darius (cf. above, n. 25), and so dated the arrival of Darius in Egypt to this year. Griffith (*P. Ryl. Dem.* III, p. 26), contests the value of Polyaeus' story as evidence. Cf. also How and Wells, *Comm. on Herodotus* (vol. I, App. V, p. 394). Posener (p. 176) notes the complete absence of royal titles in the Apis-stela here referred to, which perhaps implies that the king had not at that time arrived in Egypt. See further below, n. 34, *ad fin.*

first adequately published in 1926 and inscribed with a dedication by Cambyses,<sup>34</sup> that it is extremely tempting to suppose Polyaeus' story to have referred originally not to Darius but to Cambyses. The propaganda against Cambyses which is so much in evidence in the Greek authors would easily explain the later attachment of the anecdote to Darius. As the text of the Apis-sarcophagus just mentioned (appended here in note 34) becomes better known to historians it may be supposed that the persistent persecution of Cambyses' memory by the ancients may in this matter at least come to be discredited.

To sum up the evidence from contemporary dated documents, we conclude that Cambyses used in Egypt the traditional Egyptian system of dating, differing considerably from the Persian one which Darius immediately substituted for it; that he represented events which had taken place before his conquest as having fallen within his reign in Egypt,<sup>35</sup> and that he claimed to have been Pharaoh from the moment of his accession in Persia. The investigation has incidentally provided further reasons for rejecting as a fabrication the story of Cambyses' murder of the Apis-bull. The actual evidence for the chronology of the bulls (cf. above, p. 170) even provides a possible source of this legend, since careless—perhaps intentionally careless—interpretation of the evidence by the priests could lead to the false conclusion that a bull aged only fifteen months was buried in Cambyses' reign, and at almost the end of his sixth Persian year,

<sup>34</sup> Cf. Gunn, ASAE, XXVI (1926), 85 f. The following translation is that of Posener, p. 36: 'L'Horus Sm', T', wj, roi de la Haute et de la Basse-Égypte M's-tjw (?)—R', fils de Ra Cambyse, qu'il vive éternellement; il a fait en qualité de son monument à son père Apis-Osiris un grand sarcophage en granite, dédié par le roi de la Haute et de la Basse-Égypte M's-tjw (?)—R', Fils de Ra Cambyse, doué de toute vie, de toutes perpétuité et prospérité (?) de toute santé, de toute joie, apparaissant comme roi de la Haute et de la Basse-Égypte éternellement.' Posener notes (p. 12) that 'en adoptant un nom d'intronisation Cambyse montre son désir de suivre la tradition royale Égyptienne,' and cites (p. 170) other evidence of Cambyses' policy to the same effect. It seems not impossible that the word translated 'apparaissant,' which appears not to be common form in similar contexts, has a reference to the very recent arrival of Cambyses in Egypt, and thus confirms the dating 525 B.C. here attributed to Posener's Apis-epitaph No. 3 (cf. above, pp. 170 f. and note 25), in place of Posener's own date (p. 30) of 524 B.C., the third month of 'summer' being, according to Egyptian reckoning, November.

<sup>35</sup> Cf. above, p. 169, with n. 23.

that is, in February, 523 B.C. This (false) conclusion would fit in with Herodotus' chronology, allowing just time for the failure of the Ethiopian expedition which the historian describes in III 26 f., and which he regards as the prelude to the supposed murder of the bull.

## § ii. *The Persian-Egyptian Marriage-alliance*

It is now almost half a century since G. Radet suggested the possibility that Egypt was already claimed as tributary by Cyrus.<sup>36</sup> His theory, based mainly upon the emphatic statements to this effect in Xenophon's *Cyropaedia* (I. i. 4; VIII. vi. 20, 21), and upon the Greek stories of the marriage of Nitetis the daughter of Apries either to Cyrus or to Cambyses, has not been followed up. It is not my intention to revive it, but to attempt an alternative interpretation of the same evidence.

Although at first sight the dating-system adopted by Cambyses in Egypt might seem to lend further support to Radet's theory, it may for various reasons be regarded as more probable that either Cambyses or Darius,<sup>37</sup> for political motives, invented and deliberately propagated the story of previous possession of Egypt by Cyrus. All the evidence advanced by Radet in support of his theory will apply in this case also, and in addition to the argument already given (the system of dating adopted in Egypt in Cambyses' reign) other fresh ones may also be adduced. To recall one of Radet's arguments, which will equally well apply on the alternative theory of Achaemenid propaganda, he suggests that Cambyses ordered the mummy of Amasis to be taken out of its place in the royal palace and whipped,<sup>38</sup> not because (as Herodotus alleges) he was even then hardly sane,<sup>39</sup> but because he wished to demonstrate that Amasis was a usurper on the throne of Egypt. The well-attested treatment of the corpse of Cromwell at the time of the Restoration in England provides an obvious historical parallel<sup>40</sup> which serves to rescue

<sup>36</sup> *Rev. Ét. Anc.*, 1909, p. 201 f.

<sup>37</sup> See further below, pp. 176.

<sup>38</sup> Herod. III, 16.

<sup>39</sup> Herod. III, 30.1.

<sup>40</sup> See Pepys' Diary, under Dec. 4th, 1660. The contention of the Egyptians in Herodotus' time that Cambyses in fact maltreated the wrong corpse (Herod. III, 16.5) also has its parallel in Cromwell's case (Pepys' Diary, under Oct. 13th, 1664), a false story spread abroad by those unwilling to accept the well-attested fact.

the story of the maltreatment of Amasis' mummy from the category of myth.

The story of the Persian-Egyptian marriage-alliance deserves serious consideration, in spite of its having been preserved in different versions, for the reason that parallel stories are recorded, in Greek literary texts, which were evidently intended to serve as the basis of Achaemenid claims to other once-independent kingdoms. In the case of Egypt, the sources agree that the princess in question ('Nitetis') was the only surviving child of Apries (Hophra, virtually deposed by Amasis 569 B. C., killed in 566);<sup>41</sup> they differ in that Herodotus, claiming to give the Persian story, states that she was the concubine of Cambyses, while according to him the Egyptians lied in maintaining that she was legally married to Cyrus, and that Cambyses was her son. Of the later sources Ctesias follows Herodotus;<sup>42</sup> another Greek historian of Persia, writing in the fourth century B. C.,<sup>43</sup> and a Greek of Naucratis who wrote a history of Egypt,<sup>44</sup> follow the Egyptian version. Both these stories have been dismissed by scholars as improbable,<sup>45</sup> that of the Persian informants of Herodotus on grounds of chronology (since a daughter of Apries would be in any event approaching forty years of age at Cambyses' accession, when the union is represented as having taken place), and the alternative version on account of the insistence of Darius and his successors upon the Persian descent of the king on both sides of his family. But the limitation of Darius' right to marry, and that of his successors, to the narrow aristocratic circle of the conspirators' families<sup>46</sup> sounds like the price paid to the nobles by the new claimant to the throne.<sup>47</sup> Darius himself would also have an obvious interest in limiting the claims, then or later, of sons of his predecessors' foreign wives. Thus Herodotus may well have no more information

about 'Persian' views on Cyrus' alleged foreign marriage than the natural reaction of some minor Persian official in Egypt to his own inquiry, namely that the Egyptian version could not be right, in view of the well-known Persian ban on foreign marriages by the king existing in his own time.<sup>47a</sup> In any case it was thought to be well-established that Cambyses' mother was Cassandane, of the royal family itself. Consequently Herodotus decides for the 'Persian' story, and remarks that the Egyptians, in 'claiming Cambyses for their own' (Αἰγύπτιοι δὲ οἰκνεῦνται Καμβύσεα) knew very well who his real mother was and that according to their own laws a 'bastard' (νόθος) could not be king of Egypt.

It therefore seems most likely that Herodotus has imported from the 'Persian' account the notion that it was not a marriage at all that the Persian king contracted with the Egyptian princess. This idea would also be readily accepted by the Egyptians at the time of Herodotus' visit, soon after the end of the revolt of Inaros, when anything tending to discredit Persian rule in Egypt would be eagerly seized upon. At that time they may well have denied that Cambyses had been legitimate king of Egypt. To Herodotus himself, also, as a Greek, it would seem natural to suppose that in the harem of the Persian king there was only one legal wife.

But this assumption, if true for any period,<sup>48</sup> is quite likely to be an anachronism when applied to the period before Darius' concordat with the Persian barons. It has just been noted that political expediency on both sides at that time might dictate the limitation, and a further reason against supposing that Persian law at that time coincided, in the general principles relating to marriage, with the Greek is that ancient Indian Law, which as another Aryan system was presumably closer to the Old Persian law than was the Greek, allowed plurality of wives and many grades of legitimate sons.<sup>49</sup> Xenophon, also, conversant as he evidently is with Persian institutions, makes Cyrus marry

<sup>41</sup> Chronology according to CAH, III, p. 302 f.

<sup>42</sup> Cf. Athen. XIII, 560d, following Herod. III, 1.

<sup>43</sup> Dinon (*ap. Athen.* XIII, 560), called by Pliny the father of the famous writer Clitarchus (? of Alexandria, early third century B. C.). He wrote a history of Persia, from which this statement is cited.

<sup>44</sup> Lyceas of Naucratis (*ap. Athen.*, an extract from his third book on Egyptian history). He is not elsewhere mentioned.

<sup>45</sup> Cf. How and Wells, *Comm. on Herod.*, vol. I, p. 365.

<sup>46</sup> Herod. III, 84: γαμέειν δὲ μὴ ἐξεῖναι ἄλλοθεν τῷ βασιλεῖ ἢ ἐκ τῶν συνεπαραστάντων.

<sup>47</sup> Many other privileges were granted to the descendants of the 'Seven' by Darius at the same time (Herod., *ibid.*).

<sup>47a</sup> The accession of Darius II (*Nothos*, *Paus.* VI, v. 7), son of a Babylonian mother (Ctes. fr. 44) was later to demonstrate that one who, for the Greeks, was imperfectly legitimate, might win and maintain the crown.

<sup>48</sup> Cf. preceding note.

<sup>49</sup> Cf. Kautilya (C. 300 B. C.?), ed. J. J. Meyer (German translation, 1926), III, 5. 60, with commentary *ibid.*, p. 255<sup>17</sup>, 260<sup>22-26</sup>; also Kapadia, *Hindu Kinship*, 1947, pp. 124-8, 148 n. 29.

a wife other than Cassandane, and certainly in full legal form. This bride was supposedly the daughter of 'Cyaxares' king of Media,<sup>50</sup> and what is particularly significant for the purpose of the present inquiry, the marriage is represented as explaining the accession of the whole of Media to the Persian crown by way of the dowry which went with the princess.

In Xenophon's account, the king is represented as saying to Cyrus, 'with her I give you all Media as her dowry (*φερνήν*), for I have no son born in wedlock.'<sup>51</sup> Although nothing is said on the subject in the narrative, the gift of the kingdom is plainly assumed to be postponed until the grantor's death, this last being an arrangement in respect of dowry which has its parallel both in Athenian<sup>52</sup> and in early Roman law.<sup>53</sup> The unusual feature is not this postponement, but the eventual ownership of the dowry, which is clearly regarded as accruing to the husband. With variations, this same story of transmission of the kingdom of Media by means of dowry occurs also in Nicolaus of Damascus, who certainly took it from Ctesias.<sup>54</sup> Here it is Astyages who gives his daughter (Anytis) to a Median noble *ἐπὶ προῖκί πάσῃ Μηδία*, and Cyrus (with closer approximation to the historical facts) is represented as fighting for the succession and eventually marrying the same heiress.<sup>55</sup>

<sup>50</sup> The 'Cyaxares' of *Cyrop.* VIII, 5.18 f., supposedly the son of Astyages, is unhistorical (cf. Weissbach in Pauly-Wissowa, s. v.). The reason for inventing him was doubtless to give greater chronological probability to the story of Cyrus' marriage to the daughter of the king of Media than appears in the version found in *ἔνιοι τῶν λογοποιῶν* (including Ctesias? Cf. below, notes 55 and 56), according to which he married his mother's sister (*Cyrop.* VIII, 5.28) who was the daughter of Astyages (Herod. I, 107; *Cyrop.* VIII, 5.19).

<sup>51</sup> *Cyrop.*, *Ibid.*: ὁ δὲ Κναξάρης εἶπε, δίδωμι δέ σοι, ἔφη, ὦ Κύρε, καὶ αὐτὴν ταύτην γυναῖκα, ἐμὴν οὖσαν θυγατέρα . . . ἐπιδίδωμι δὲ αὐτῇ ἐγὼ καὶ φερνὴν Μηδίαν τὴν πᾶσαν. οὐδὲ γὰρ ἔστι μοι ἄρρην παῖς γνήσιος.

<sup>52</sup> Cf. Dem. XXVII, 5; XXIX, 43, and other passages cited by Ehrmann, *Münch. Beitr.* 20, 1934, p. 24.

<sup>53</sup> Cf. Polyb. XXXII, 13 (dowry of the daughters of Scipio Africanus).

<sup>54</sup> Cf. FHG III, p. 399 (11, 12), with Ctesias, fr. 2.

<sup>55</sup> According to later writers on Babylonian history (cf. FHG II, 505), 'Amyites,' the daughter of Astyages, was married to Nebuchadnezzar. 'Anoutis' the half-sister of Xerxes I, mentioned by Dinon in his *Persika* (ap. Athen. XIII, 609a), may be supposed to be a descendant. The existence of alternative stories suggests that both were later inventions intended to support the legitimacy of Persian rule over Media, the versions of Xenophon and Ctesias directly, that of the Babylonian

It is inconceivable that the 'claim by dowry' version of the transmission of the kingdom of Media to Cyrus was invented by a Greek historian, because it is in conflict with Greek law concerning dowry and inheritance, or at all events, with Greek law of the Persian period. In the heroic age Greek law may possibly have contained this principle, but among the Greeks in the Persian period property in general passing through an heiress would go to her children, not to her husband, while any present to the husband specified at the time of the marriage as dowry (*φερνή, προίξ*), as the kingdom of Media apparently was,<sup>56</sup> would either descend to the children of the marriage, if there were any, or would automatically return to the wife's family at the end of the marriage.<sup>57</sup> No right of possession by the husband, or by an eldest son in right of primogeniture,<sup>58</sup> would be set up, and consequently the gift to Cyrus described by Xenophon would not, under Greek law, provide the basis of a permanent Achaemenid claim to the kingdom of Media.

historians indirectly, on the grounds that Media already belonged to Babylon (note that Astyages is called 'satrap of Media' in the narrative) when Babylon became subject to Cyrus.

<sup>56</sup> Cf. n. 51.

<sup>57</sup> Cf. Ehrmann, *op. cit.*, 323, n. 8 (with references); house-property, jewelry, slaves, 'vor allem aber etwaiger Grundbesitz, verblieben der Frau'; *ibid.*, 324, 'Die Frau blieb nach alledem Eigentümerin sowohl ihrer Mobilien als auch der eventuellen Dotalgrundstücke.' So also E. Gerner, "Beitr. z. Recht d. Parapherna," *Münch. Beitr.* XXXVIII (1954), p. 39; 'Entsprechend gemeingriechischer Rechtsauffassung stand auch in Athen das Eigentum an der Mitgift (*προίξ, φερνή*) nicht dem Ehemann, sondern der Ehefrau zu; der Ehemann hatte an der *προίξ* nur die Verwaltung und der Nutzniessung.' It was important that the dowry should be specified by the donor as such; failing this, it counted as a non-returnable present to the husband (cf. Ehemann, *ibid.*, p. 324), but if specified as *προίξ* or *φερνή*, it remained the property of the wife, returnable to her *κύριος* at the end of the marriage.

<sup>58</sup> Succession according to primogeniture in the Achaemenid empire seems to have been normal, in the early period at least (though according to Assyrian annals cited by Ghirshman, *Iran*, p. 122, the eldest son of Cyrus I was called Arukku), but constitutionally the decision lay with each king to appoint his successor. Cf. Herod. I, 208: τῷ ἐαυτοῦ παιδὶ Καμβύσῃ τῷ περ τὴν βασιλείην ἐδίδου; Xen. *Cyrop.*, VIII, 7.9, 10 (speech of Cyrus to his sons, justifying the choice of the elder to be king); Ctes. fr. 8: Καμβύσῃ μὲν τὸν πρῶτον υἱὸν βασιλέα καθίστη; Meyer, *GA*<sup>2</sup>, III, p. 41. The practice (first introduced before the end of Cyrus' reign) of conferment of the title of King upon the intended Successor (cf. F. W. König, *Der falsche Bardiya* [1938], p. 115 f.) has the same implication.



On precisely these grounds E. Cuq has rejected the historicity of the alleged gift of Coele Syria to the crown of Egypt under the terms of a supposed marriage-contract between Ptolemy V Epiphanes and Cleopatra, the daughter of Antiochus III of Syria.<sup>59</sup> This could not happen, he points out, under Greek law; whether he is right in assuming that Greek law would underlie the (real or alleged) transaction is another question.<sup>60</sup>

The indications that within the Homeric Greek period Greek law had, by contrast, given ownership of dowry to the husband may point to a stage in the evolution of the Indo-European peoples when the Persian and the Greek practice in this particular matter had not yet gone different ways. Menelaus is represented as having become king of Sparta through his marriage to Helen, the daughter of Tyndareus, who was his predecessor as king of Sparta.<sup>61</sup> An even clearer indication of the same kind is Agamemnon's offer to Achilles (*Il.*, IX, 144 f.) of one of his three daughters in marriage with, as dowry,<sup>62</sup> five towns in Messenia

which should be subject to him and pay him tribute. The offer is then described by Nestor as 'gifts' (δῶρα), which Agamemnon is offering to Achilles. The recent discovery that the Linear B tablets from Nestor's Pylos are written in Greek strengthens the impression that we are here concerned with an early stage of Greek, rather than pre-Greek, law, and makes the parallel of what certainly seems to be Persian or Median law less surprising than it otherwise would be. It seems impossible to point to parallels in any other Indo-European system of law in the Achaemenid period, for ancient Indian law conforms to the later Greek in this matter of dowry.<sup>63</sup> Persian and Median law, however, remain virtually unknown, and it is in this field that the origin of the 'claim by dowry,' familiar also in later European systems,<sup>64</sup> is most likely to be found.

Other possible sources of the institution may easily be eliminated. Babylonian law, for example, which might in general be suspected as the source of legal institutions anywhere within the Achae-

<sup>59</sup> E. Cuq, "La Condition juridique de la Coele Syria au Temps de Ptolémée V Epiphanes," *Syria*, VIII (1927), 143 f. The positive evidence is from Josephus, *Ant. Jud.* XII, 4. 1: καὶ δίδωσιν αὐτῷ τὴν θυγατέρα Κλεοπάτραν πρὸς γάμον, παραχωρήσας αὐτῷ τῆς Κοίλης Συρίας καὶ Σαμαρείας καὶ Ἰουδαίας καὶ Φοινίκης, φερνῆς ὀνόματι. A description of the arrangement made about the tribute follows. The difficulties raised by Cuq and others in regard to the alleged partition of revenues from these territories between the two kings disappear if the arrangement be regarded as provisional only, the gift of the territories themselves as dowry being supposedly postponed in the agreement until the death of Antiochus III. Cf. above, p. 173, for parallels to such an arrangement. But the later history of the dispute and the eventual war concerning the possession of Coele Syria shows that Antiochus IV still claimed it as having been continually subject to Syria from 201 B. C. onwards (Polyb. XXVIII, 1). Syrian military successes in the reign of Antiochus III make the dowry-story improbable, though it seems not unlikely that the Egyptian king actually made the claim. There is at least no reason for suspecting Josephus of having invented the story, since it does not fit into the framework of the Jewish marriage-contract, in which the essential feature is the *mohar*, a payment by the bridegroom to the father-in-law before the marriage (I Sam. 18: 25; Gen. 34: 12; Exod. 22: 17, etc.).

<sup>60</sup> The conclusion which seems to follow from the present study is that we here have to do with a remnant of Persian royal law.

<sup>61</sup> These relationships are pre-supposed as the background of the whole epic of the *Iliad*; hence the great antiquity of the legal conception involved is impossible to doubt.

<sup>62</sup> The word is *μελίσια*, regarded by Leaf (on *Il.* IX, 146) as a technical term here.

<sup>63</sup> The discovery of the *Arthashastra* of Kautilya (composed c. 300 B. C.?) appears not to alter conclusions reached by nineteenth-century scholars on the subject of the eventual disposal of dowry in early Hindu law. See, for example, Mayne, *A Treatise on Hindu Law and Usage* (1881), 432, 436 f., with comments by Kohler (Krit. *Vierteljahrsschrift*, N. F. IV, 1881), showing that *Saudayika* (dowry given by the bride's relatives) was administered, in the case of immovables, by the husband during the marriage, but could only be drawn upon by him in case of need, and must be restored. At the husband's death, *śulka* (originally bride-price, then part of the dowry, not including personal ornaments) went back according to the oldest law to the wife's family (Mayne, *ibid.* p. 439; cf. now also Kautilya III, 2. 59, with Meyer's commentary [1926], p. 245<sup>14</sup>). In later law, the wife's children, if she had any, took the *śulka*, and in case there were no children of the wife, Manu (IX, 198) admits the children of the same husband by another wife to a claim on it. The essential point as far as the present inquiry is concerned is that in early Hindu law, coinciding in date with the Achaemenid period, the husband had no more than administrative rights over his wife's dowry, and either he or his heirs must return it at the end of the marriage.

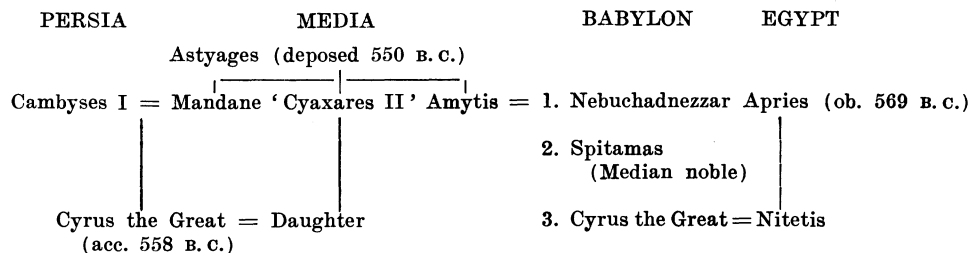
<sup>64</sup> Cf. the transference of Aquitaine to the kings of England through the marriage of Henry II and Eleanor of Aquitaine (illustrated for a later period by Shakespeare's *King John*, Act II, Scenes II and III, relating to the dowry of Blanche of Castile). English law in the case of private persons was the same; cf. Pepys' Diary, under 27th May, 1662. The case of Tangier, part of the dowry of Catherine of Braganza as wife of Charles II, shows that Portugal in the seventeenth century accepted the same principle; cf. Pepys' diary, under May 24th, Sept. 28th, 1661.

menid empire, coincided with Greek law in its treatment of dowry; the husband never acquired under Babylonian law the right of disposal of the dowry.<sup>65</sup> In native Egyptian law of the Persian and pre-Persian periods, also—and this is clearly apposite to a possible claim on Cambyses' part through Nitetis—the wife remained the legal owner of her dowry. Obscure though the details of Egyptian marriage-law may still be in other respects, this much at least is certain, that the wife remained the legal owner of what she contributed as her 'woman's property' (i.e. dowry) to the common stock, of which the income was enjoyed jointly by the married pair during the marriage; the capital could not be touched, and the wife's share was disposed of at the end of the marriage either by descending to her children, if there were any, or by passing to the wife herself (if still alive) or to her heirs.<sup>66</sup> In no case did it pass to the husband.<sup>67</sup>

It would therefore appear that the 'claim by dowry' implied in Xenophon's story of the marriage of Cyrus reflects an institution peculiar to

Persian law. If this story stood alone, the conclusion that Persian law is involved might seem a rash one, even though it would be strange if an intelligent Greek historian should invent a story conspicuously at variance with the legal customs familiar to him, as the law of dowry must have been familiar to any adult Greek, especially if he were a husband or a father. But the story does not stand alone. There is the parallel (on Dinon's version) of Nitetis in Egypt, already referred to. Similarly, and again referred to Cyrus, there is Herodotus' version of his last campaign, before which he supposedly sought the hand of the queen of the Massagetae in marriage, but she refused him, 'knowing that it was not herself he was wooing, but the kingdom of the Massagetae,' says Herodotus.<sup>68</sup> The much later parallel of the Ptolemaic claim to Coele Syria, Phoenicia, and Judaea on the same grounds<sup>69</sup> may also go back to Persian law.

The accompanying tree will make the relationships implied in these various stories clear:



There are obvious reasons for rejecting the historicity of some, if not all, of these alleged mar-

riages. 'Cyaxares II' is an invention; Egypt can hardly have been dependent on Persia in any sense

<sup>65</sup> For the period of the Code, cf. Driver and Miles, *The Babylonian Laws* (*Legal Commentary*, p. 258, 271 f.). For the law in Babylonia in the early Persian period, cf. E. W. Moore, *Neo-Babylonian Documents in the University of Michigan Collection* (1939) no. 200 (Darius I, Year 30): two slaves forming the dowry of Lurinda from the hand of her mother 'in perpetuity to Lurinda shall belong.' Similarly (*ibid.* no. 174, Cambyses, Year 6) a woman assigns her own dowry by contract in two parts to other owners. The old Babylonian law was thus continued in this respect in Babylonia in the Persian period.

<sup>66</sup> The enactment of Augustus referred to in the edict of T. Jul. Alexander (Dittenberger, *Or. Gr. Inscr. Sel.* II, 1905, 669, l. 25) was a reaffirmation of existing law. Cf. below, n. 67.

<sup>67</sup> The clearest exposition of the Pharaonic law seems to be that of J. Cerny (*Bull. de l'Inst. franç. d'Arch. orient. du Caire*, XXVII [1937], 38 f.), a text and transla-

tion, with further commentary, of the marriage-contract of Dyn. XX, first published by Peet and Cerny in *J. Egypt. Arch.*, XIII (1927), p. 30 f. The principle maintained by the law was 'que l'on donne à toute femme son *sfr*' (Cerny, p. 45), this being an otherwise unknown word, with a determinative usually indicating a plant, which C. convincingly identifies with the wife's 'third' (as opposed to the husband's 'two-thirds') of the common property in the marriage, and with her dowry. In this case, the wife's *sfr* has been assigned by the court, as of right, to her children after her decease. C. ventures no suggestion as to the meaning of the determinative; it would seem not unlikely that the word itself (*sfr*) meant some kind of growing thing, and was applied to the dowry as something not to be spent but to be put out at interest, thus emphasizing again the absence of permanent right over the dowry on the part of the husband.

<sup>68</sup> Herod. I, 205.

<sup>69</sup> Cf. above, n. 59.

at any time during Cyrus' reign; Media is known to have become subject through armed conquest in 550 B. C.;<sup>69a</sup> Amytis, betrothed to Nebuchadnezzar before his accession<sup>70</sup> (605), cannot surely have survived to be the wife of Cyrus. The reasons for these fabrications are also clear enough; in general, to give an impression of legitimacy where none existed, and more specifically, to lay claim to all the dependencies of kingdoms annexed by conquest without the trouble of invading them. The last point is particularly important; it accounts for the strange insistence of Xenophon, noted by Radet,<sup>71</sup> upon Persian ownership of Cyprus and Phoenicia by Cyrus, as well as other territories, notably India,<sup>71a</sup> which he appears never to have invaded. The historical evidence for Cypriote adherence to Cyrus, supposedly in 539 B. C., is weak in the extreme, being designed to account for the fact that they did not then become gift-contributing.<sup>72</sup> Yet the annexation by Cyrus has been accepted as historical in one of the most recent and authoritative archaeological studies of Cyprus,<sup>73</sup> in spite of the fact that some sites show long-continued Egyptian influence, which cannot have begun earlier than 570 B. C.<sup>74</sup> Invention by Persia of the 'claim by dowry' would completely explain this long-standing difficulty, and would also explain the non-appearance of Cyprus in any of the royal lists of provinces in spite of its having been tributary at least from the reign of Darius.<sup>75</sup> The same observations apply to Phoenicia and Palestine, but it would be carrying us too far from the present subject to consider whether these were claimed as Persian as being formerly Egyptian or

as being formerly Babylonian. Cyprus at all events is said to have been successfully invaded by Apries shortly before the end of his reign,<sup>76</sup> and it seems clear from references to dependencies of Egypt in the official titles of a functionary holding office under Darius<sup>76a</sup> (son of an earlier holder of the same office under Amasis) that Egypt itself was not the only country which came to Darius under that title; it may therefore be suggested that the island came (in theory) to Cyrus on the principle illustrated in Shakespeare's *King John* (Act III, Scene III):

'But what shall I gain by young Arthur's fall?'

asks the Dauphin, and receives the answer:

'You in the right of Lady Blanch your wife  
May then make all the claim that Arthur did.'

The reasons for the fabrication of the various stories of Persian royal marriages is in general clear enough, namely to give the impression of legitimacy where none existed. But which of the Persian kings was responsible for it? Cyrus himself can hardly be suspected; the known facts were too recent during his reign for an alternative to carry conviction. It would have made him a laughing stock had he claimed to be king of Egypt. Invention by a successor is more probable, and in the case of the alleged Egyptian marriage the clear evidence (especially that of his dating system in Egypt) points to Cambyses, who stood to gain by the invention. It might serve to propitiate the Egyptians (in actual fact it conspicuously failed in this); but more important, it eliminated all Persians other than the heir of Cyrus and his heirs from the legitimate succession in Egypt, and might serve to cancel out the dangerous precedent of annexation by conquest.

Certain indications of Cambyses' desire to conform as far as possible with Egyptian traditions in his capacity as king of Egypt have already been mentioned;<sup>77</sup> his use of traditional titles as Pharaoh, his respect not only for other native cults but also for that of the Apis-bull (which he was falsely alleged to have killed.) Last, but not least, must be mentioned his marriage—in accordance with Egyptian royal tradition but by no means in accordance with Persian—to a full sister whom he took with him to Egypt. Herodotus' account of

<sup>69a</sup> Cf. CAH, vol. IV, 7.

<sup>70</sup> Berossus, *ap.* Syncell., p. 610 (FHG II, 505). Cf. the references to his Median wife (mentioned without name) in Berossus *ap.* Joseph. *Ant. Jud.* X, 11. 1.

<sup>71</sup> Ref. above, n. 36.

<sup>71a</sup> Cf. Arr. *Ind.* 1. 1-3 (but west of the Indus).

<sup>72</sup> Cf. Herod. III, 89. 3; there was no regular tribute in the reigns of Cyrus and Cambyses, 'but they furnished gifts (δῶρα).'

<sup>73</sup> Cf. *The Swedish Cyprus Expedition*, ed. Gjerstadt, IV, 2 (1948), p. 471 f.

<sup>74</sup> Cf. CAH III, 306, assuming the Egyptian period in Cyprus to be c. 560-525. The beginning-date 570 B. C. proposed in the Swedish Report (above, n. 73) rests on Diod. I, 68 (victory of Apries in Cyprus). But according to Herod. II, 182 it was Amasis (acc. 569) who first conquered Cyprus. Additional evidence for an appreciable period of Egyptian control in Cyprus has resulted from the British excavations at Old Paphos; cf. *Liverpool Bulletin*, vol. II. 1 (1951).

<sup>75</sup> Herod. III, 91. 1.

<sup>76</sup> Cf. n. 74.

<sup>76a</sup> Cf. Posener, nos. 11-20, p. 89-112.

<sup>77</sup> Above, p. 168.

how he previously consulted the Persian 'Royal Judges' on the legality of this marriage incidentally illustrates Cambyses' respect for constitutionalism in general.<sup>78</sup>

With Darius, on the other hand, absolutism is barely veiled if at all. Both in the Behistun inscription and in Herodotus' account, acquisition of the whole kingdom by force of arms is what is stressed; the evidence that Ahuramazda chose him to be king and helped him in his struggle is the success of the struggle itself. Of his final defeat of Gaumata he says simply 'I slew him. I took the kingdom from him.'<sup>79</sup> According to Herodotus, the equestrian statue of himself which he set up to commemorate his overthrow of the false Smerdis bore the inscription 'Darius, son of Hystaspes, secured the empire of the Persians by the valour of his horse and of Oebares his groom.'<sup>80</sup> His still surviving inscription on the banks of his new canal near Suez proclaimed in four languages, including Egyptian hieroglyphic, 'I am a Persian. From Persia I seized Egypt.'<sup>81</sup> That he was not concerned about hereditary claims, apart from the social prestige provided by membership of the Achaemenid house, is shown by his open admission that his father and grandfather—both of whom were naturally closer to Achaemenes than he was himself—were both alive when he became king. It is evident that for a self-confessed and arrogant conqueror of this kind his technical legitimacy, whether based on descent or on other grounds, mattered not at all, at least in the earlier part of his reign, when permanent policy had to be decided.

The pains which Darius took to make all this information public in all the provinces by its diffusion in several language and in various forms, and the existence of a much later copy in Aramaic in

Egypt,<sup>82</sup> prove that he did not change his mind later about the grounds of his legitimacy. For him it was self-evident that provinces which 'came to him,'<sup>83</sup> that is, were already in the possession of the Persian crown at the time when his own accession was recognized in Persia, were legitimately his because by force of arms he had made himself king of Persia, and among their number Egypt naturally appears. They are in fact the countries claimed by Cambyses. The royal titulature of Darius in Egypt, which seems to conform to earlier Egyptian usage,<sup>84</sup> must therefore be regarded as purely formal, inherited from Cambyses and earlier Pharaohs, without bearing upon his claims to legitimacy. Finally, it is obvious that no later propaganda issued by Darius about the legitimacy of Cyrus in Egypt could affect his own claims, even if he could at that distance of time persuade anyone to believe it. It seems therefore to follow that the 'claim by dowry' propaganda was the work of Cambyses.

This study has led to certain conclusions of general historical interest which may be summarized as follows:

Cambyses (even at the expense of strict truth) maintained the principle of inheritance, as against the principle of force, as the basis of royal power. In this he was following Cyrus;<sup>85</sup> his policy was reversed by Darius.

Secondly, Persian rule in Cyprus begins only with the Persian conquest of Egypt, in 525 B. C.; Egyptian control persisted in the island from early in the reign of Amasis down to this date; the propaganda of Cambyses is responsible for Greek literary testimony to an earlier date for the expulsion of the Egyptians from Cyprus.

On the negative side, it cannot be too strongly emphasized that evidence that Persian propaganda could be carried to these lengths makes it desirable never to accept without question otherwise unsupported statements about the Persians made by Greek authors. When such statements can be traced to native Egyptian sources parallel reasons for caution naturally arise.

<sup>78</sup> Cf. Herod. (III, 31), who remarks that the Royal Judges ἐξηγηταὶ τῶν πατρίων θεσμῶν γίνονται. It is interesting that respect for established law on the part of later Persian kings, in Herodotus' own time, is thus implied.

<sup>79</sup> DB I, § 13.59; *avadašim: avājanam: xšačamšim: adam: adīnam.*

<sup>80</sup> Herod. III, 88: Δαρείος ὁ Ὑστάσπεος σὺν τε τοῦ ἵππου τῇ ἀρετῇ (τὸ οὐνομα λέγων) καὶ Οὐβάρεος τοῦ ἱπποκόμου ἐκτήσατο τὴν Περσέων βασιλείην. Can this inscription be the origin of the evidently invented tale of the groom and the neighing horse?

<sup>81</sup> DZc, 7, 8: *adam: Pārsa: amiy: hacā: Pārsā: Mudrāyam: agarbāyam.* To the bibliography of this stela in Kent, *op. cit.* 111 should be added Posener (*op. cit.* above, n. 1), p. 63 f.

<sup>82</sup> Cf. Cowley, *Aramaic Papyri of the Fifth Century B. C.* (1923), p. 250 f.

<sup>83</sup> DB I, 13 and 18; *imā: dahyāva: tyā: manā: patiyāiša.*

<sup>84</sup> For example, in Posener, no. 8, p. 59 f.

<sup>85</sup> As noted by R. Ghirshman, *Iran* (English edition, 1954), p. 133.